



*Homeland Security Investigations  
Office of the Special Agent in Charge*

**U.S. Department of Homeland Security**  
595 Ala Moana Blvd  
Honolulu, HI 96813

---

WRITTEN TESTIMONY  
SB 3139

Testimony of John F. Tobon  
Special Agent in Charge  
Homeland Security Investigations

March 1, 2022

ICE - Homeland Security Investigations (HSI) fully supports enactment of HB 2171.

HSI special agents work extensively with law enforcement officers of the State of Hawaii on investigations targeting transnational organized criminal (TOC) activity. The threat posed by TOCs operating within the state have evolved significantly over the last decade, this evolution necessitates the establishment of a new department of law enforcement to complement the work of the country departments. The stated goals of the new department are consistent with ongoing federal efforts.

We also support the establishment of a law enforcement training center where federal, state, and local law enforcement officers can maintain proficiency in the tactical, technical, and legal aspects of their duties. Increasing the quality of law enforcement personnel at all levels is critical to earning the trust and respect of the people whom we serve.



U.S. Immigration  
and Customs  
Enforcement

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:35:01 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tory Guillermo	Testifying for Sheriff Division - Kona	Support	No

## Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:59:26 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Darryl Ng	Testifying for Sheriff	Support	No

Comments:

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

I have been with DPS for almost 35 years, my first 15 with Corrections and the last 20 with the Sheriff Division. The rank and file from both Corrections and Law Enforcement FULLY support this bill and respectfully ask that it be passed and in acted into law.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:09:38 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Geoffrey Peterson	Testifying for PSD/Sheriff	Support	No

Comments:

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:13:13 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kaipo Giltner	Testifying for PSD Sheriff Department	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:14:09 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kacie Kamoku	Testifying for Kona Sheriffs Department	Support	No

## Comments:

I fully support SB3139 and believe consolidating State Law Enforcement and creating an Law Enforcement agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

The creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department would allow for effective management, accountability, standardization, and accreditation under CALEA.

I fully support the reestablishment of the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:30:05 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Edward R. Trevino Jr	Testifying for Sheriff Division	Support	No

## Comments:

I wholeheartedly support this Bill to make our own department. I've had the honor of serving both Divisions of Public Safety, Corrections and Sheriffs. I can tell you first hand that the bias is there between the two divisions. Money doesn't get allocated for the sheriffs the way it does for corrections. The Sheriff division is in great need of their own budget and New equipment. I for one work in a courthouse where I have to work with no computer to do reports or a vehicle to transport custodies. We as a division don't have the man power to do the visits and at times operate at a level where we can not cover Officer Safety and that puts the officer in jeopardy of something dangerous happening to them. We as a division can better become a Full Service Department servicing not just State facilities but all of the State and counties. Please support this as I and my Brothers and Sisters in the Sheriffs do.

Thank You

Edward Trevino Jr

Deputy II, Sheriffs Division



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

" A Police Organization for Police Officers Only "  
Founded 1971

March 1, 2022

**ONLINE/FAX: 808-586-6091; 808-586-7348**

The Honorable Donovan M. Dela Cruz  
Chair  
The Honorable Gilbert S.C. Keith-Agaran  
Vice-Chair  
Senate Committee on Ways and Means  
Hawaii State Capitol, Rooms 208, 221

And

**ONLINE/FAX: 808-586-6131; 808-587-7220**

The Honorable Karl Rhoads  
Chair  
The Honorable Jarrett Keohokalole  
Vice-Chair  
Senate Committee on Judiciary  
Hawaii State Capitol, Rooms 204, 205  
415 South Beretania Street  
Honolulu, HI 96813

Re: **SB3139 SD1-Relating to Public Safety**

Dear Chairs Dela Cruz and Rhoads, Vice-Chairs Keith-Agaran and Keohokalole, and Honorable Committee members:

I serve as the President of the State of Hawaii Organization of Police Officers ("SHOPO") and write to you on behalf of our Union in **conditional support** of SB3139 SD1, subject to further amendments. However, if our amendments are not accepted, we stand in firm **opposition** to the bill.

This bill seeks to consolidate various State law enforcement agencies while purportedly maintaining and preserving the existing duties, responsibilities, and jurisdictions between the State agencies and the county police departments. We take no position on the consolidation and reorganization of the various State departments and agencies (Department of the Attorney



The Honorable Donovan M. Dela Cruz, Chair  
The Honorable Gilbert S.C. Keith-Agaran, Vice-Chair  
Senate Committee on Ways and Means  
and  
The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice-Chair  
Senate Committee on Judiciary  
Re: SB3139 SD1-Relating to Public Safety  
March 1, 2022  
Page 2

General, Office of Homeland Security, Department of Public Safety, Department of Health, etc.) as it relates to financial and budget considerations and the creation of the Department of Law Enforcement. The objectives of consolidation for the purpose of achieving financial efficiency and economies of scale at the state level is something we give deference to the State authorities. However, what is of serious concern to our police officers and Union members is the negative impact the proposed State reorganization may have on the duties, responsibilities, and jurisdiction of our county police officers.

Our concern with SB3139 SD1 is that it expands the State's law enforcement jurisdiction beyond protecting and securing the State's courthouses and dignitary protection for State government officials, which are distinct and separate duties and responsibilities that are not performed by our county police officers. SB3139 SD1 still gives the Sheriffs the authority to conduct "law enforcement operations and investigations throughout the State," however, the bill is silent and continues to be silent as to what that means or what that will entail. See Page 27, lines 1-3. At the same time, the bill states that it is not intended to "impair or diminish" our county officers' responsibilities. See Page 5, lines 1-3. What all of this means, how it should be interpreted, and how it will be applied is unclear and requires additional clarification.

Therefore, we respectfully request that an appropriate and clarifying amendment be made in regards to page 27, lines 1-3, and 12-15, to ensure that our county police officers will be able to continue carrying out and performing their same duties and responsibilities within their respective county jurisdictions unimpeded, without any diminishment or restriction, and without being displaced. A suggestion is that page 27, lines 12-15, be amended to read as follows: "This section does not relieve nor will it diminish county police officers of any authority or responsibility to enforce laws or to maintain public safety on state lands and in state buildings or in their respective counties."

This jurisdictional concern is very important to our officers and therefore our recommended clarifying language will help avoid any future misunderstandings should this bill become law. Specifically, we want to ensure that the law enforcement operations and investigations performed by our county police officers on each island are not affected by this bill. For example, we want ensure that the reported crimes we are currently responsible to respond to and investigate will remain the same and under the jurisdiction of our county police officers, that we will continue to patrol the same geographical community areas that we currently patrol and where we respond to calls, and we will continue to be responsible for the same traffic enforcement and investigations that are presently performed by our solo bike units and traffic divisions. Where there exists a current overlap in jurisdictions, we will continue to work collaboratively with our brother and sister State law enforcement officers as we have done in the

The Honorable Donovan M. Dela Cruz, Chair  
The Honorable Gilbert S.C. Keith-Agaran, Vice-Chair  
Senate Committee on Ways and Means  
and  
The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice-Chair  
Senate Committee on Judiciary  
Re: SB3139 SD1-Relating to Public Safety  
March 1, 2022  
Page 3

past and will continue to do in the future. To do otherwise is to invite and create confusion and chaos.

The bill also proposes a “statewide law enforcement training center” intended to provide “education,” “training,” and “certification” to not only state law enforcement officers but also to county police officers. See page 3, lines 4-21. The bill also states that the training center will ensure that officers will have the knowledge and skills to protect and serve the public and to be held accountable. If the center is really intended for the newly created Department of Law Enforcement and its officers, and the language in the current bill is amended to reflect that intention, we would then have less of a concern about it. However, that is not how the bill currently reads nor what it states. We therefore recommend that page 3, lines 4-7 be amended as follows: This Act also establishes a training center within the department of law enforcement to provide its ~~all state-and-county~~ law enforcement personnel ~~entities~~ the highest level of core and continuing education and training.<sup>1</sup>

The whole idea about requiring “certifications” is something we respectfully stand in strong opposition to, including the role of the Law Enforcement Standards Board, which is nothing more than another bureaucratic feel good project following in the wake of the Kealoha scandal and George Floyd incident. Aside from the enormous monetary expenditures associated with such a training center endeavor and the baseless assumption that our county police academies are substandard or deficient, it is unclear what the need is for a state training center for county police officers when all four (4) county police departments and their respective police academies are accredited by the Commission on Accreditation for Law Enforcement Agencies (“CALEA”). CALEA is nationally known as the gold standard benchmark in law enforcement and its accreditation seals are internationally recognized as the “Marks of Professional Excellence” for public safety agencies. Our county officers are highly trained, experienced, and investigate the broad range of crimes set forth in the Hawaii penal code as codified in the Hawaii Revised Statutes. Our officers are held to the highest professional standards and are investigated and held accountable for the slightest deviations or infractions. The policies and training of each county police department have many in common, but they also have special provisions and aspects tailored to each island’s unique demands and diverse communities. Thus, a state training center and the requirement of a “certification” by the law enforcement standards board for county police officers is unrealistic, will involve duplicative training, and certainly cannot be a

---

<sup>1</sup> On page 22, lines 6-15, the training center objective is specified to train “state law enforcement personnel” as opposed to county police officers. Consistent with that language, we make this suggested change.

The Honorable Donovan M. Dela Cruz, Chair  
The Honorable Gilbert S.C. Keith-Agaran, Vice-Chair  
Senate Committee on Ways and Means  
and  
The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice-Chair  
Senate Committee on Judiciary  
Re: SB3139 SD1-Relating to Public Safety  
March 1, 2022  
Page 4

one size fits all because each island and their respective Police Chiefs have their own distinct community demands, needs, and resources.

You may recall that two Honolulu police officers were recently involved in the shooting of a suspect who charged at them wielding a knife. I am sure you are also aware of our depleted ranks and the staffing crisis we are facing because there is a severe shortage of new recruits willing to join our departments and the fight to protect and serve our communities. The Maui Police Chief recently testified before the Maui County Council that his department was in the midst of a severe staffing shortage with a vacancy level that exceeded 25%. Chief John Pelletier provided the sobering analogy of “taking a sprinter and saying, ‘Hey, go run this race but we’re going to take your leg off.’” In other words, we do not have a sufficient number of police officers patrolling our neighborhoods and protecting our citizens which undoubtedly places the public’s safety in jeopardy. Chief Pelletier’s candid and honest statements should have sounded an alarm in our community that our police departments are at a critical juncture and creating yet another layer of training bureaucracy and certifications will only exacerbate our present recruitment and retention crisis. If we cannot get a sufficient number of qualified candidates through our current training curriculum, what makes anyone reasonably think an additional layer of “certification” will somehow increase those numbers? I hope you will take our concerns to heart because we take great pride and consider it an honor to protect and serve our island communities and will continue to perform our duties to the best of our abilities. However, please know that based on our first-hand experience, additional mandatory training or certifications will do nothing to alleviate and will only worsen an already dire situation.

We thank you for allowing us to be heard and to share our concerns on this very important issue and express how this bill could unintentionally and negatively affect and impact our county police officers.

Respectfully submitted,

ROBERT “BOBBY” CAVACO  
SHOPO President

**SB-3139-SD-1**

Submitted on: 2/28/2022 6:07:54 PM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Avery Gomes	Individual	Support	No

Comments:

Aloha and thank you for allowing my testimony.

I am in favor of Bill SB3139 in hopes that Hawaii will finally move forward in a better organized criminal Justice system where we have a diverse Law Enforcement and a separate Correctional system which will allow our offenders the rehabilitation they need in order to become an active and positive role in society.

I have been in the Public Safety Department for 23 years where I have been fortunate enough to act in many roles including Supervisory, Administrative, Training etc... I have worked with both Corrections and Sheriff's in multiple sections.

My brief background is not to boast but, to allow you to see someone who truly understands the operation of the department and request that Bill SB3139 be accepted.

Mahalo for your time!

**SB-3139-SD-1**

Submitted on: 2/28/2022 6:48:26 PM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alan Urasaki	Individual	Support	No

## Comments:

I am in support of creating a department of law enforcement and department of corrections. These separate entities would create efficiency and cost-savings as well as focusing on inmate rehabilitation and reentry and departmental police functions. I urge you to pass this measure. Mahalo.

**SB-3139-SD-1**

Submitted on: 2/28/2022 7:06:04 PM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brandon Agena	Individual	Support	No

## Comments:

Hello, my name is Brandon Agena and I am writing to show my support for this bill.

I am a deputy sheriff with the State of Hawaii Sheriff department and I feel that the passage of this bill would move the state law enforcement agency as a whole forward into the future. The current separation of various law enforcement agencies adds confusion to the general public and in reality other states.

The idea that there should be one department that trains the various law enforcement is a great idea. It will show that there are standardized training and criteria for all. It would also equip the new recruits with a sense of pride knowing that they have the most current up-to-date training and resources available to the state.

By separating law enforcement from the corrections side of public safety, it will allow for a more focused look at making the best use of resources that are available. As it stands now the corrections side of the department gets the lion's share of the public safety budget and the sheriff's department is treated like the black sheep of the family.

I am submitting this testimony on my own behalf and again support the passage of this bill.

Mahalo,

Brandon Agena

**SB-3139-SD-1**

Submitted on: 3/1/2022 5:56:56 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Candace Dobrowolsky	Individual	Support	No

Comments:

Aloha Senators

I submit my testimony in full support of this bill. The merging of State Law Enforcement is a logical and pragmatic step in the right direction. It allows for standardization of policy, training, and recruitment. This bill and the benefits outlined above will provide the people of Hawaii a more professional agency that meets the evolving trends in law enforcement.

The creation of the Department of Corrections and Rehabilitation is an equally important part of this bill. The current model for Public Safety puts little emphasis on rehabilitating our inmate population. By creating a focused and accountable effort in rehabilitation we can expect a lower recidivism rate, increased safety for the public, and lesser demand for law enforcement intervention.

This bill makes sense on so many levels and I'm proud to support this measure.

Candace Dobrowolsky

Good Morning Chair Dela Cruz, Chair Rhoades and committee members of WAM and JDC. I am Daniel Hanagami and I am offering this testimony as a private citizen. I feel very strongly that enactment of this legislation would bring harm to public employees and the community. It would be detrimental to state law enforcement by making it costlier and less effective, therefore, I am in opposition of this bill for the following reasons:

1. As stated in comments from the committee on PSD concerning the capability of the Investigations Division of the Department of the Attorney General, "...Investigations Division, which may affect the ability of state law enforcement to conduct complex white collar crime investigations, particularly government corruption and financial fraud."
  - a. This bill will destroy the capability of the State of Hawaii in conducting complex financial/corruption investigations efficiently. The passing of the associated bill, SB 2930 SD2, "Special Investigation and Prosecution Unit," which will assign two investigators to the Criminal Justice Division of the Department of the Attorney General, will not allow for efficiency in addressing complex financial fraud investigation. The proposed bill will be staffed with only two investigators (investigators determine the success of the investigation). This bill will transfer the rest of the Special Agents from the Investigations Division of the Department of the Attorney General to the new Law Enforcement Department. This transfer would leave a void with only two investigators to in the Department of the Attorney General to address white collar crimes. As Gary Yamashiroya, the Special Assistant for the Office of the Attorney General, stated in his Civil Beat news release, he implied that the new SPU built into the Criminal Justice Division would stop the transfer of my white collar crime unit to the Criminal Justice Division. He seems to think that two investigators are going to be enough to address what my division does in the investigation of white collar crimes.
  - b. Currently, the Investigations Division of the Department of the Attorney General has a white collar complex financial crimes unit, the best in the State of Hawaii. For the past eight years, under my leadership and supervision, the unit has been addressing governmental, political, and law enforcement corruptions. We also investigate complex financial corruption cases at charter schools and at the Department of Education. We further have been accepting for investigation complex financial crimes complaints from victims in the community who were told by county police officers that their cases were civil in nature. My division have investigated these perceived civil cases and determined these were criminal conduct based on intent of deriving a community member out of their monies. We have gained criminal convictions after we completed these investigations.
  - c. I have a core of five special agents assigned to my white collar crime unit to investigate these complex cases, and I also have complex cases assigned to myself for investigations. I have trained the rest of my thirty five Special Agents in financial manipulation (with me having credentials of having a master's degree in business; fraud investigation certification from the Association of Certified Fraud Examiner;



and a certification as an Economic Crime Forensic Examiner from the National White Collar Crime Center) so that they can support the white collar crime unit in the execution of search warrants, arrests, analysis and processing of financial records into evidence.

2. The proposed legislation offers lofty goals without real substance to achieve those goals. The bill does not include the county police departments as a major consulting entity and establishes the Public Safety Department as the driving force behind this bill. The Public Safety Department lacks certification, experience and expertise. The planning of the law enforcement department should have better leaders to pursue this effort.
  - a. In testimonies given before the House JHA Committee, on 02/16/22, at 1400 hours, Deputy Director Jordan Lowe's statement concerning people going over from PSD to the Law Enforcement Department, were that these employees will be going at the own "discretion." In Director Max Otani's testimony in the JHA committee, Representative Gene Ward asked Director Otani, what if his employees don't want to transfer over to the Law Enforcement Division, how can you create a new department if you are giving choices to go or not to go. The response was, once the bill is passed it will become a union issue. If they don't want to go, the positions in the new law enforcement department are new positions, and they will have to hire new employees. Representative Ward said it sounded "loosey-goosey," and it was puzzling to him. The question is what do these employees do if their duties are sent to the new Law Enforcement Department and they remain in PSD?
3. Reorganization in itself serves no purpose unless it adds value. This reorganization would create layers of bureaucracy, executive sinecures and generate millions of dollars in unproductive costs without providing a roadmap for improvements in services or safety for the public. This waste would be perpetuated in future budget cycles, a costly illusion with no benefit to the public.
4. The proposed reorganization of state law enforcement is justified by goals, but the proposed reorganization does nothing to achieve these goals.
5. State law enforcement functions together as the State Law Enforcement Coalition (SLEC) in response to the full spectrum of natural disasters, events, civil disturbances and threats to public safety. The SLEC Unified Command provides coordinated leadership and functions as a whole organization to carry out the missions tasked to state law enforcement. The SLEC Unified Command coordinates the actions, personnel and resources of the member agencies whenever a situation requires interagency coordination or exceeds the resources of a single agency. The SLEC framework provides the best of both worlds, coordinated efforts drawing on all state law enforcement while keeping member agencies intact and able to focus superior expertise in their functional areas.

- a. SLEC has functioned effectively as a formal entity since 2003. SLEC was established by formal agreement by Major General Robert G. F. Lee in his capacity as Adjutant General of the Hawaii National Guard and Director of Civil Defense, Attorney General Mark Bennett, Peter Young as Chair of the Board of Land and Natural Resources, Rodney Haraga as Director of Transportation, and James Propotnick as Acting Director of Public Safety.
  - b. SLEC has functioned effectively since its establishment through numerous challenges facing the state through the present and the SLEC response to the COVID-19 Pandemic.
  - c. SLEC is more effective as a coordinator of state law enforcement than the proposed organization and engages more resources.
  - d. All of the member law enforcement agencies of SLEC have evolved over time to perform necessary, sometimes specialized functions, and their unity in SLEC has enabled state law enforcement to function as a whole in response to all emergencies and situations. The SLEC Unified Command functions under the standards of the National Incident Management System and is organized in an Incident Command System structure. SLEC is even stronger based on the solid commitments, mutual respect and commitment to public safety of its leaders and members.
6. The proposed organization would consolidate a significant portion of state law enforcement. It would exclude significant portions of state law enforcement that would become fragmented, special purpose niche offices serving as single-purpose entities unavailable to overall public safety. State government already has many special- purpose investigators and limited-scope law enforcement personnel scattered among state agencies. This legislation would create more of these specialized fragments.
- a. For example, as part of a larger whole Investigations Division, a unit of investigators assigned to “certain investigations functions of the department of the attorney general,” also participate in quarantine compliance enforcement to protect the community and prevent deaths, but as an isolated fragment unit, they would stay in their lane and not be available to serve the greater needs of the community.
  - b. There is, in fact, value to dedicating specialists to accomplish specialized functions, but when these investigators are left behind and not included in the new law enforcement department, they will effectively be no longer integrated in operations or be available for other services.
  - c. Creating more specialists outside the framework of the new department would decrease the number of personnel available for state law enforcement as a whole. Experience has shown that these isolated, specialized investigators can

be dedicated, productive individuals, such as investigators in the Child Support Enforcement Agency, but they are not available to SLEC and would not function as part of this new department.

- d. For example, the Investigations Division of the Department of the Attorney General performs many important specialized functions such as investigating sex offenders, and functions as a cohesive whole adding to the specialized investigators when executing search warrants, managing crime scenes or being mobilized to support operations such as peacekeeping at Maunakea or performing pandemic response.
7. This legislation would cut the number of investigators available to large-scale crime scene investigations in half. The dismemberment of the Investigations Division would destroy the ability of state law enforcement to conduct complex white collar crime investigations, particularly government corruption and financial fraud. There is no other agency conducting this type of investigation at the state level and very limited county-level capabilities. Disbanding the Investigations Division and dismembering its ability to function as a whole will severely compromise accountability in state government and enable greater corruption by removing the only effective deterrent.
    - a. The prior Attorney General, the current Attorney General and its Special Assistant to the Attorney General planned dismemberment of its Investigations Division in this proposed bill, appears nothing more than a ploy to address its labor issues and federal civil rights violation charge by crafting this bill that is designed to strip its Chief Special Investigator of his supervisory authority and exile him regardless of he being the top financial crimes investigator in the Department.
  8. DOCARE (Division of Conservation and Resource Enforcement) is a significant partner in SLEC and state law enforcement. DOCARE is omitted from this reorganization legislation. DOCARE's omission contradicts the justification for this proposal and is a good example of why this consolidation is flawed. As their name implies, DOCARE and its officers perform specialized conservation and resource protection functions vital to the interests of the state and the people served by the state, while at the same time being vital and effective members of SLEC and state law enforcement as a whole. DOCARE exemplifies why SLEC works as a framework to coordinate state law enforcement while preserving the reasons its member agencies exist.
    - a. In testimonies given before the House JHA Committee, on 02/16/22, at 1400 hours, Deputy Director Jordan Lowe's stated that DOCARE opted out of the Law Enforcement Department due to claims that they were more of an educational division rather than a law enforcement division. This is a strange justification since DOCARE officers, carry badge, arrests powers, firearms and law enforcement vehicles. It is strange that law enforcement divisions are given options not to transfer when the Investigations Division of the Department of the Attorney General were not given that option. They were going to be moved.

9. Harbor Enforcement Officers (HEO) have specialized skills, training and proficiencies associated with their work on seacraft and the intricacies of commercial harbors. A Harbor Enforcement Officer would not be interchangeable with a Deputy Sheriff or Investigator. The skill set of a HEO and the work they perform specialized and focused to best serve in commercial harbors.
10. This legislation frequently mentions the Department of Transportation but does not address the contract Law Enforcement Officers serving at the airports. These are armed airport police with full law enforcement authority. Whether the airport police should be contract or civil service employees is an issue for a different time, but this legislation does not bring the airport police into the proposed new department. This legislation omits what is, in effect, the second largest state law enforcement agency in Hawaii, with staffing second only to the Sheriff Division.
11. State law enforcement essentially serves defined interests and priorities of state government. The existing agencies and their focused areas provide effective, cost-efficient services that optimize services and accountability in their areas of expertise. State law enforcement contributes services that are not performed by county police. State law enforcement is not, nor should it become, a duplication of functions and services best-served by the county police. The state and counties each have roles in the overall safety and protection of our community.
12. This legislation would not accomplish its stated goals.
  - a. Goal (1) State law enforcement already partners with the Joint Terrorism Task Force to protect the State from both domestic and foreign threats. This legislation would not change that.
  - b. Goal (2) This legislation and a new state law enforcement agency would not accomplish “eliminating the narcotics epidemic that plagues Hawaii’s communities through its commitment of investigators in the federal High Intensity Drug Trafficking Area (HIDTA) task forces”. Eliminating drug trafficking and the destruction of lives from methamphetamine and the other dangerous drugs is a very worthwhile goal to protect our communities and our children, but this legislation is not the means to accomplish it.
    - b1. The county police are a much better option to counter narcotics trafficking if they can be supported with more resources. Attempts to duplicate their services at the state level would drain resources that would be better used by county police.
    - b2. The Honolulu Police Department has a very strong partnership with HIDTA and is highly effective in investigations and drug trafficking countermeasures, but the scope of the problem exceeds their resources.

A new state law enforcement agency is not the answer to this dilemma. The state would better serve this goal by contributing money to support more Honolulu Police Department personnel, Maui Police Department personnel, and more Kauai police personnel

- b3. Should state law enforcement want to venture into this area, the state would need to significantly step-up commitment to community-based groups and programs to harden youth against social contributors and provide meaningful positive alternatives, improved the accessibility to rehabilitation and treatment to community members needing services in this area. are needed. Our whole community needs to be mobilized to save our youth and the victims of addiction. Reorganizing state law enforcement is not the answer and would not accomplish anything meaningful.
  - c. Goal (3) reorganizing state law enforcement is not needed to expand the narcotics canine program. State funding would be better used to support expanded canine services in the county police departments.
  - d. Goal (4) reducing gun violence and other violent criminal acts in island communities through participating in the federal Project Safe Neighborhoods program is an effective strategy. The county police are engaged at the community level and have direct involvement with communities through their roles as emergency first responders and their patrol officers. The county police have close ties with the neighborhoods they serve and have years of experience with community policing. The proposed state law enforcement department would add little or no value.
- 13. The county police are emergency first responders. Their patrol elements are 9-1-1 driven. All calls are serviced. Police Communications and dispatchers' function as a whole response engine with their field patrol personnel. This is the core of the county police departments. In general, state law enforcement agencies are not prepared to take on this responsibility. Only Harbor Police are actual emergency first-responders. In the 9-1-1 world, there is no such thing as "we're too busy" or "we don't have anyone available" and bouncing emergencies or calls for service to the police.
- 14. This proposed legislation states, "County police departments will continue to have full law enforcement authority and responsibility with respect to state parks, state buildings, state highways, Hawaiian home lands, and other state lands and facilities." It is clear this proposed legislation intends to leave responsibility for public safety emergency response and law enforcement patrol operations as the responsibility of the county police.
  - a. Jurisdiction and limited resources are issues between county and state level law enforcement, and this legislation perpetuates an unfunded mandate for county police to provide law enforcement services in areas of state responsibility. This

legislation perpetuates the issues and does nothing to change the situation.

15. This legislation raises issues of training and professional standards in state law enforcement. These are very important considerations. The establishment of a training center for state and county law enforcement as described would be of significant value for law enforcement professionalism, standards, and the quality of services provided for the community. Combined with the work of the law enforcement standards board established in chapter 139, Hawaii would be well-served by this initiative. However, this legislation does not accomplish this and it would be many years and many millions of dollars in the future.
17. The reorganization of state law enforcement proposed in this legislation is not necessary to establish a training center and professional standards. In fact, placing this training center in a new state department would be detrimental. A much better model for accomplishing this would be a jointly managed and jointly operated training center in a cooperative agreement between the state and counties. Each would commit personnel and funding to the training center.
18. This legislation is, at best, neutral in meeting the goals and services Hawaii deserves. The reorganization of state law enforcement is not the way to meet the challenges and does not deliver any real value for the community.
19. This reorganization would not reduce costs. It would add significant costs and overhead. It would add more executives but would not add more personnel actually performing the work.
20. The proposed reorganization should produce something of clear, articulated value. The only concrete value proposed are the training center as an institution to promote professional standards and consistency in training.
21. The Department of Public Safety's current administration does not have the professional expertise, experience, or knowledge as an accredited law enforcement agency to lead this initiative in the creation of a new law enforcement department. One would get the impression after reading this bill that they are setting up positions so that certain members of their department and certain members of the Office of the Attorney will have jobs after their at-will administration term comes to an end. The Special Assistant to the Attorney General once commented that it is logical for the Department of Public Safety to take the lead in this new law enforcement department because they have the largest amount of law enforcement officers in a state agency. That is not a logical answer in my view.
22. I agree with reservations expressed in the written testimony provided by the Department of the Attorney General during the Thirty-First Legislature in response to House Bill No. 629 Relating to Law Enforcement. In this testimony, the OAG expressed, "There are myriad complex issues to discuss and consider in developing a structure and plan. For

instance, the needs, capabilities, and responsibilities of each of the respective state law enforcement branches must be fully assessed before being consolidated under a single department. At a minimum, issues of infrastructure, funding, jurisdiction, responsibilities, federal mandates, parity, training, CALEA (Commission on Accreditation for Law Enforcement Agencies), policies and procedures need to be considered. The issues of support staff and facilities also need to be addressed.”

- a. This current legislation does not resolve these aforementioned issues. This current legislation, in effect, asks for the creation of a whole new state department without a plan and without addressing these issues. Instead, this proposal offers a vague vision and wants to create new executive positions in the hope these issues can be resolved as they go along. They are asking for a blank check to pay for this vision. The legislature and the people of Hawaii are not being given details or the cost.
  - b. It is confusing at the least, based upon the prior standards that the Office of the Attorney General had requested, and without it in this current legislation, they now support it.
23. This reorganization will add costs without adding value. There are issues, but this is not the solution. There are better solutions. We need to improve policing in Hawaii holistically, with state and county law enforcement and our federal partners working together as a whole team for the benefit of our community.
24. The Department of the Attorney General claims to work collaboratively in this bill, yet the affected investigators in its Investigations Division wasn’t given any opportunity to give input into this bill as it was being constructed. In fact, during a meeting of this new Law Enforcement Department, the First Deputy from the Department of Public Safety and the staff from the Office of the Attorney General stated to the investigators that it was inappropriate to show the drafted bill to them.
- a. This behavior, by restricting the Attorney General’s investigator’s participation is contrary to, and violates the spirit of Hawaii Revised Statutes **§89-1 Statement of findings and policy**, where public employees have been granted the right to share in the decision-making process affecting wages and working conditions, they have become more responsive and better able to exchange ideas and information on operations with their administrators.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:34:51 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Chon Peters	Individual	Support	No

Comments:

I fully support and believe in this bill SB3139

I support our local, state, and federal law enforcement officers.



**SB-3139-SD-1**

Submitted on: 3/1/2022 8:35:23 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Leedo Anderson	Individual	Support	No

Comments:

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:39:27 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Deven English	Individual	Support	No

Comments:

I fully support SB 3139 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:39:50 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kanamu	Individual	Support	No

Comments:

Aloha All,

I ***SUPPORT*** SB3139 SD1 and ask that you do as well.

Mahalo

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:43:07 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Maria English	Individual	Support	No

Comments:

I fully support SB 3139 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:44:22 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Adam Kau	Individual	Support	No

Comments:

In regards to SB/3139/HB2171,

I am writing to express my full support of this bill. It provides the needed foundation to properly organize the two large components of the already established Public Safety Department into separate, more manageable entities.

This bill would provide a turning point for state law enforcement and corrections to advance themselves and further their responsibilities. With the creation of separate law enforcement and corrections departments, their own respective administration will be able to focus solely on their own goals and responsibility and would greatly improve quality and function.

Respectfully,

A.Kau

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:50:32 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Joshua Grilho	Individual	Support	No

## Comments:

As a Deputy Sheriff, I fully support this bill aiming to consolidate State Law Enforcement under one department. Doing this will drastically aid in the growth of State Law Enforcement by increasing presence across the state and state properties, and reduce response time if more State Law Enforcement officers are added in the field. This bill would also aid in reducing the burden HPD faces by having to cover most if not all of the state. I strongly believe that creating a separate law enforcement department for the Sheriffs will greatly increase protection for Hawaii. Please support and pass this bill.

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:54:52 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Greg Mayo	Individual	Support	No

Comments:

I fully support this bill. Aloha

**SB-3139-SD-1**

Submitted on: 3/1/2022 8:54:56 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jayson Tsukayama	Individual	Support	No

Comments:

I fully support this bill as I feel it will benefit our state law enforcement entities greatly.



**SB-3139-SD-1**

Submitted on: 3/1/2022 8:55:40 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keola Kekaulike	Individual	Support	No

Comments:

Aloha Members,

I am in strong support of a consolidated state law enforcement agency as proposed in this bill. The community we serve, which includes the State Capitol and the Capitol District, deserves a more streamlined response from ALL of their state law enforcement agencies. I believe that consolidating all the of the state law enforcement agencies into the Department of Law Enforcement will be a benefit for all stake holders statewide.

Thank you for your time.

Sgt. Keola Kekaulike, Sheriff Division

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:03:08 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
James Barnes	Individual	Support	No

Comments:

I am testifying in very strong support of this bill! Thank you!

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:03:39 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
charles f lacaden	Individual	Support	No

Comments:

I support SB3139 100%

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:14:31 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Glenn Park	Individual	Support	No

Comments:

Hello

Hawaii needs a better law enforcement program. Where are the checks and balances? Hawaii is in such dire need for better law enforcement. The combining of state law enforcement will only make our streets, harbors, and community a safer place for everyone.

There are floods of homeless arriving to this state daily. they have no place to quarantine, no job, no money. How do they survive? Committing crime. There is prostitution, juvenile harboring, drug usage and selling, all within the homeless communities. This spreads into our neighborhoods, schools, and businesses. HPD can no longer support our islands on their own. There needs to be a greater police system.

If your not sure where to look, try walk through Aala Park, downtown, Salvation Army on Nimitz, Stadium Park, Nimitz Highway underpass, Keehi Lagoon, China Town, University Ave, Shopping centers, Kaneohe, Kaimuki, Kalihi, the west side, North Shore, etc. Each day more homeless arrive from mainland. They are sent by various entities. Some save their money for a one way trip. The rest receive free tickets from city programs or people trying to get rid of their homeless by sending to Hawaii. Selling point is the good weather and that Hawaii won't refuse to help homeless.

Are you going to deal with the crime and social problems that come with the homeless? The filth, unsanitary raw urine and fecal matter that is just poured back into the ocean? Mentally ill. The real homeless that can't get help, the ones with children. The veterans who fought for our freedoms and are now forgotten. Who is going to go out and help? Are you going out there to help and see what the communities and homeless need? Are you stepping out of your safe zone and having to deal with these issues hands on? Jeopardizing health and safety of family and self? Catching disease (AIDS, Staph, COVID) or illness from homeless? Risking injury and not able to work?

No, not you...the police have to deal with this on a daily basis. This is on top of the response calls and real emergencies that need to be addressed. Then being expected to have to give more while still earning what you and communities call acceptable wages for occupation.

By passing this bill, Hawaii will have fully qualified and trained officers keeping our families safe in our communities. There could be more state law enforcement officers on the water, at the parks, highways, social events, and places where the public always asks, where are the police?

I would like to take back my community and not have to worry about my family taking a safe stroll through our neighborhood or to the market, beaches, and parks. We need your help to make this happen.

Please think about this

Thank you.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:19:37 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
LOVELEEMAY KALEIKINI	Individual	Support	No

## Comments:

I fully support SB3139 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of State Law Enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:25:04 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Geoffrey Hicks	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:26:42 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Delvin Honda Honda	Individual	Support	No

Comments:

I fully submit this bill



**SB-3139-SD-1**

Submitted on: 3/1/2022 9:27:05 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sean Springer	Individual	Support	No

Comments:

Aloha members of the legislature,

I fully support **SB3139/HB2171** and believe consolidating state law enforcement and creating a Department of Law Enforcement agency will significantly improve the recruitment, training, operations, profession and command and control of state law enforcement resources and personnel.

In a time where the law enforcement field have become more complicated and law enforcement officers are evolving to find a new normal, while the public view for the need or evolution of the profession is being questioned like never before, now is the time to make this bill happen. As stated in the **SB3139/HB2171**, centralization of all state law enforcement entities:

*into a single state department will centralize state law enforcement functions to increase public safety, improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.*

For those that are against this bill, one has to ask yourself what do they have to lose, on this common sense initiative, that has a lot of support, if this bill passed. They will say things like duplication of services; however, in reality when you look at all other states in the nation, they follow Federalism, which is a system of government in which the power is divided between the federal, state and local government. This is healthy and provides the necessary checks and balances in government that prevent a one system party that has shown, can be ripe for corruption.

Finally, due to the fact that the corrections department and law enforcement department have different objectives, it is difficult to find a director that have experiences in leading and managing both entities simultaneously. By separating the two, you can find the right leadership within each specialty to effectively lead their respective agencies into the 21 Century.

R,

Deputy Sean Springer



**SB-3139-SD-1**

Submitted on: 3/1/2022 9:31:03 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Charles Among Jr	Individual	Support	No

## Comments:

Chairs Dela Cruz and Rhoads, Vice Chairs Keith-Agaran and Keohokalole and Committee members,

I fully support SB3139 and believe consolidating state law enforcement and creating a Department of Law Enforcement will significantly improve operations, recruitment/ retention, consistency and standardization in training, uniformity with policies and procedures and command and control of state law enforcement resources and personnel. Finally, consolidation will also create potential opportunities for cross-training and advanced career development.

As a former Adult Corrections Officer assigned to Oahu Community Correctional Center (OCCC) since 1994, and now a Deputy Sheriff assigned to Downtown Honolulu since 2002, I know there are many complexities and dynamics to both the Corrections and Sheriff Divisions, not one more important than the other. Both divisions have unique and distinct missions to the people to whom they serve, and both deserve separate departments to maximize their capabilities.

I humbly ask for your support of SB3139. Thank you for letting me testify on this important matter.

Charles Among Jr.

Aloha Honorable Chair and Committee Members,

My name is Brandon MARIANO-TORRES, I am a Deputy Sheriff assigned to the Sheriff Airport Section at the Daniel K. Inouye International Airport (HNL). I am writing in **SUPPORT** of this bill. I began my career as an Adult Corrections Officer (ACO) with the Department Of Public Safety (PSD). As an employee who served as both, an ACO and Deputy Sheriff, I have seen firsthand the separate and distinct missions of both divisions. I truly believe that separating both divisions will dramatically improve public safety for the citizens of Hawaii.

By creating a Department of Corrections and Rehabilitation (DCR), the new department will be able to focus its efforts on specific objectives for the inmate population, such as the rehabilitation of offenders and addressing recidivism.

The creation of the Department Of Law Enforcement (DLE) will improve State Law Enforcement services across the state.

**Benefits to creating the DLE**

- **Law Enforcement**
  - Improved enforcement of state Harbors, Ports, Airports, properties, and lands.
  - Enhanced criminal investigations and prosecutions.
  - Assisting county police with staffing shortages by increasing the amount of Law Enforcement Officers (LEO) available to respond to calls for service within state buildings, properties, and lands.
- **Management**
  - Unified command structure to streamline operations, resources, communication, and promote accountability.
- **Coordination**
  - Exchange in intelligence with the consolidation of the Office Of Homeland Security into the DLE.
  - Improved coordination with state and county emergency responders.
- **Training**
  - Establish a unified law enforcement training program to ensure the highest level of training for State LEOs within the DLE.
- **Recruitment and Hiring Standards**
  - Currently, the Sheriff's Division is the only state LE agency to have a comprehensive hiring process. All Deputies are required to pass an entrance exam, physical fitness test, interview, extensive background check, multiple psychological exams, truth verification, psychologist interview, and medical exam. (Similar to county police hiring standards)

Deputies have been requesting to be separated from corrections for years, mainly due to their distinct missions. I ask for your **SUPPORT** in passing this bill.

Thank you,  
Deputy Brandon MARIANO-TORRES  
Sheriff - Airport Section (HNL)

**SB-3139-SD-1**

Submitted on: 3/1/2022 9:37:49 AM

Testimony for WAM on 3/3/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Reef Makue	Individual	Support	No

## Comments:

I would like to thank the Senate Ways and Means Committee Chair D. Dela Cruz and Vice-Chair K. Aragan and the rest of the body that make up this committee as well as the Committee on Judiciary Chair Karl Rhoads and Vice-Chair Jarrett Keohokalole and the other prominent members that make up this committee for taking the time to consider the proposal of consolidating State Law Enforcement services into a single LE agency, entitled the Department of Law Enforcement.

Moreover, the separate creation of a department for Corrections and Rehabilitation will be best suited, as an autonomous organization altogether, to address the ongoing social issues of recidivism and reintegration among our incarcerated population as well as provide the necessary resources to address these issues in an efficient manner.

Therefore, in brevity, it is with much enthusiasm that **I fully pledge my support for SB3139**